



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: **10.02.2020**

CORAM:

THE HONOURABLE **MR.JUSTICE M.S.RAMESH**
W.P.(MD) No.2532 of 2020

WEB COPY

1.P.Samuel
2.P.Govindaraj
3.C.Ravikumar
4.V.Jayapal

... Petitioners

/vs./

1.The State of Tamil Nadu,
Rep., by its Principal Secretary,
Labour and Employment Department,
Fort George, Chennai 600 009.

2.The Director,
Department of Employment and Training,
Thiru Vi Ka Industrial Estate, SIDCO Industrial Estate,
Guindy, Chennai 600 032.

3.The Joint Director (Craftsmen Training)
O/o., the Director of Department of
Employment and Training,
Thiru Vi Ka Industrial Estate, SIDCO Industrial Estate,
Guindy, Chennai 600 032.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, to direct the third respondent to regularise the services of the petitioners as Junior Training Officers notionally and to disburse the consequential benefits within the time stipulated by this Court.

For Petitioner : Mr.T.Lajapathi Roy
For Respondents : Mr.C.M.Mari Chelliah Prabhu
Additional Government Pleader

ORDER

By consent of both parties, this writ petition is taken up for final disposal at the stage of admission itself.

2. Though the petitioners have sought for issuance of writ of mandamus to direct the third respondent to regularise the services of the petitioners as Junior Training Officers notionally and to disburse the consequential benefits, in my view, such a decision is to be taken by the third respondent and in case, the petitioners are aggrieved against such any decision, it would be appropriate to



approach this Court.

3. The petitioners would submit that they have already made representation on 07.01.2020 in this regard, which is said to be pending. If the said representation is directed to be disposed of within stipulated time, the ends of justice could be secured.

4. Whenever a representation is made to a statutory authority to redress the claim of the employee, there is a duty cast upon the respondents to consider the same on its own merits and pass appropriate orders in one way or other, instead of keeping the same pending indefinitely. Such an inaction would amount to dereliction of duties and thereby this Court would be justified in invoking its extraordinary powers under Article 226 of Constitution of India and thereby direct such authority to consider the representation within the stipulated time.

5. In view of the above observations, there shall be a direction to the third respondent herein to consider the petitioners' representation, dated 07.01.2020, on its own merits and pass appropriate orders within a period of twelve (12) weeks from the date of receipt of a copy of this order. It is made clear that this Court has not expressed any of its view with regard to the claim made by the petitioners in their representation and it is for the third respondent to consider it in accordance with law.

6. With the above directions, this Writ Petition is disposed of. No costs.

Sd/-

Assistant Registrar

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

rmk

To:

1.The Principal Secretary,
State of Tamil Nadu,
Labour and Employment Department,
Fort George, Chennai 600 009.

2.The Director,
Department of Employment and Training,
Thiru Vi Ka Industrial Estate, SIDCO Industrial Estate,
Chennai 600 032.



3.The Joint Director (Craftsmen Training)
O/o., the Director of Department of
Employment and Training,
Thiru Vi Ka Industrial Estate, SIDCO Industrial Estate,
Guindy, Chennai 600 032.

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+1 CC to M/s.T.LAJAPATHI ROY, Advocate (SR-5802[F] dated 12/02/2020)

+1 CC to M/s.SPL.GP (SR-5823[F] dated 12/02/2020)

Order made in
W.P.(MD)No.2532 of 2020

KK/SAR/19.02.2020/3P-6C/